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Korea, Republic of

Agricultural Situation

Korea's Proposed Ban on Food Tar Colorings

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Report Highlights:

On March 2, the Korea Food & Drug Administration (KFDA) proposed to prohibit the use of tar food colorings in children's preferred food products, which includes candies, chocolates, and drinks to ensure the safety of children's food. KFDA plans to enforce this new proposal on January 1, 2010. KFDA notified this proposal to the WTO for international comments. Comments are due by April 10, 2009.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
Seoul [KS1]
[KS]

Background: In line with the implementation of the Special Act on the Safety Management of Children's Dietary Life (hereinafter referred to as the Special Act) on March 22, 2009, the Korea Food & Drug Administration (KFDA) has decided to revise the current food additive standards for tar colorings. The Special Act was promulgated by the National Assembly in 2008 and its implementing regulations were established in March 2009 to contribute to children's health by providing safe and balanced food.

Korea's WTO notification SPS 316, a proposed revision to the Food Additive Code to ban the use of tar colorings in children's preferred food products is one of the measures taken by KFDA to enhance the safety and the management of food products consumed by children so as to make public feel comfortable about food that they are purchasing.

Proposed Changes:

I. KFDA proposed to prohibit the use of 14 tar colorings listed below in making children's preferred food products listed in "III". The full list of the 14 is as follows:

1. Food Green #3 (Fast Green FCF)
2. Food Green #3 Aluminum Lake (Fast Green FCF Aluminum Lake)
3. Food Red #3 (Erythrosine)
4. Food Red #40 (Allura Red)
5. Food Red #40 Aluminum Lake (Allura Red AC Aluminum Lake)
6. Food Blue #1 (Brilliant Blue FCF)
7. Food Blue #1 Aluminum Lake (Brilliant Blue FCF Aluminum Lake)
8. Food Blue #2 (Indigocarmine)
9. Food Blue #2 Aluminum Lake (Indigocarmine Aluminum Lake)
10. Food Yellow #4 (Tartrazine)
11. Food Yellow #4 Aluminum Lake (Tartrazine Aluminum Lake)
12. Food Yellow #5 (Sunset Yellow FCF)
13. Food Yellow #5 Aluminum Lake (Sunset Yellow FCF Aluminum Lake)
14. Food Red #102 (New Occine, Ponceau 4R)

II. KFDA proposed to modify the current standards for the additives listed below. For these two additives, KFDA has prohibited the use in children's preferred foods since November 2007.

1. Food Red #2 (Amaranth)
2. Food Red #2 Aluminum Lake (Amaranth Aluminum Lake)

III. Food products proposed to be added to the current positive list in which the tar colorings listed above are not permitted:

- Dairy products including ice cream, ice cream mix and ice cream powder
- Fruit and vegetable drinks
- Fish processed products
- Breads
- Ready to eat products
- Dry confectionary (including biscuits, cookies, crackers, chips and other but excluding Korean traditional cookies)
- Candies
- Chocolates
- Ice candy
- Carbonated drinks
- Mixed drinks

- Toasted cereal flakes (so called breakfast cereal)

Impact on trade: According to the SPS 316, tar colorings shall be prohibited for use in making any of the products listed above no matter who consumes the products. For example, if a product is classified as a candy, none of the tar colorings listed shall be used in that product even if that candy product is normally consumed by adults. Effectively, this means that the listed tar colorings are prohibited in Korea and as a result, the impact on trade could be significant.

Interim measures: The current provisions shall be applied to products manufactured and/or imported before December 31, 2009. This proposed provision is expected to be enforced on January 1, 2010.

Comments: KFDA is gathering domestic and international comments until April 10.

Relevant Korean Text: A full translation of the proposed standards is provided below.

Note: Parts proposed to be changed through SPS 316 are in bold or with strikethrough.

Standards for Tar Colorings (except for Food Red #2 and its Aluminum Lake)

Current	Proposed
<p>It should not be used for the food items below:</p> <ol style="list-style-type: none"> 1. Noodles 2. Danmooji, salted radish in rice bran 3. Special purpose food (skin and capsule of tablet are excluded) 4. Health supplement food (skin and capsule of tablet are excluded) 5. Dairy products (ice cream, ice cream powder, and ice cream mix are excluded) 6. Soy milk 7. Fermented drinks 8. Fruit-Vegetable drinks (fruit-vegetable drink are excluded) 9. Ginseng products (tablet covers or capsules, ginseng cookies are excluded) 10. Tofu and Starch jelly, starch curd 11. Pickled sea food 12. Kimchi 13. Salted/Sugared food (pickled cucumber, salted/sugared ginger, and salted/ sugared plum, that are tightly sealed, heat-sterilized, and pasteurized, are excluded) 14. Braising 15. Natural food[meat, seafood (whale meat included), vegetables, fruits, marine algae, bean, and their simply processed food (peeled or cut)] 16. Honey 17. Soy sauce, soybean paste, fermented hot pepper soybean paste, etc. 18. Vinegar 19. Sauce 20. Tomato ketchup 21. Jam(other jams are excluded) 22. Hot pepper powder, red pepper powder or shredded red pepper 23. Pepper 24. Herbs and spices product [horseradish products and mustard products are excluded] 25. Curry 26. Processed meat products (sausages are excluded) 27. Processed fish products (sausages are excluded) 	<p>It should not be used for the food items below:</p> <ol style="list-style-type: none"> 1. Noodles 2. Danmooji, salted radish in rice bran 3. Special purpose food (skin and capsule of tablet are excluded) 4. Health supplement food (skin and capsule of tablet are excluded) 5. Dairy products 6. Soy milk 7. Fermented drinks 8. Fruit and vegetable drinks 9. Ginseng products (tablet covers or capsules, ginseng cookies are excluded) 10. Tofu and Starch jelly, starch curd 11. Pickled sea food 12. Kimchi 13. Salted/Sugared food (pickled cucumber, salted/sugared ginger, and salted/ sugared plum, that are tightly sealed, heat-sterilized, and pasteurized, are excluded) 14. Braising 15. Natural food[meat, seafood (whale meat included), vegetables, fruits, marine algae, bean, and their simply processed food (peeled or cut)] 16. Honey 17. Soy sauce, soybean paste, fermented hot pepper soybean paste, etc. 18. Vinegar 19. Sauce 20. Tomato ketchup 21. Jam(other jams are excluded) 22. Hot pepper powder, red pepper powder or shredded red pepper 23. Pepper (Deleted) 23. Herbs and spices product [horseradish products and mustard products are excluded] 24. Curry 25. Processed meat products (sausages are excluded) 26. Processed fish products (sausages are excluded) 27. Fats and oils 28. Butter (Deleted)

28. Fats and oils 29. Butter 30. Tea and coffee 31. Loaf bread 32. Mayonnaise 33. Castella 34. Retort food 35. Dehydrated food for ready to eat 36. Seasoning and condiments 37. Cocoa butter 38. Processed peanut and nut products 39. Soup 40. Cocoa powder 41. Seasoned seaweed 42. Processed fruit/vegetable products 43. Extracted food 44. Egg products	28. Tea and coffee 29. Breads 30. Mayonnaise 33. Castella (Deleted) 31. Retort food 32. Ready to eat products 33. Seasoning and condiments 34. Cocoa butter 35. Processed peanut and nut products 36. Soup (Deleted) 36. Cocoa powder 37. Seasoned seaweed 38. Processed fruit/vegetable products 39. Extracted food 40. Egg products 41. Coffee 42. Dry confectionary (including biscuits, cookies, crackers, chips, and other bakery goods but excluding Korean traditional cookies) 43. Candies 44. Chocolates 45. Ice candies 46. Carbonated drink 47. Mixed drink 48. Toasted cereal flakes (so called breakfast cereal)
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Standards for Food Red #2 and its Aluminum Lake

Current	Proposed
<p>It should not be used for the food items below:</p> <ol style="list-style-type: none"> 1. Noodles 2. Danmooji, salted radish in rice bran 3. Special purpose food (skin and capsule of tablet are excluded) 4. Health supplement food (skin and capsule of tablet are excluded) 5. Dairy products 6. Soy milk 7. Fermented dairy-based drinks 8. Fruit/vegetable drinks 9. Ginseng/red ginseng drinks 10. Tofu and grain curd 11. Salted and fermented seafood 12. Kimchi 13. Food in vinegar, sugar or brine (products that are tightly sealed, heat-sterilized and pasteurized, are excluded) 14. Braising 15. Natural food [meat, seafood (whale meat included), vegetables, fruits, marine algae, bean and their simply processed food (peeled or cut)] 16. Honey 17. Soybean products 18. Vinegar 19. Sauce 20. Tomato ketchup 21. Jams 22. Red pepper powder or shredded red pepper 23. Pepper 24. Herbs and spices product [horseradish products (wasabi) and mustard products are excluded] 25. Curry 26. Meat products (sausages are excluded) 27. Fish products (sausages are excluded) 28. Fats and oils 29. Butter 30. Tea and coffee 31. Bread and rice cakes 32. Mayonnaise 33. Retort food 34. Dehydrated food for ready to eat 35. Seasoning and condiments 	<p>It should not be used for the food items below:</p> <ol style="list-style-type: none"> 1. Noodles 2. Danmooji, salted radish in rice bran 3. Special purpose food (skin and capsule of tablet are excluded) 4. Health supplement food (skin and capsule of tablet are excluded) 5. Dairy products 6. Soy milk 7. Fermented dairy-based drinks 8. Fruit/vegetable drinks 9. Ginseng/red ginseng drinks 10. Tofu and grain curd 11. Salted and fermented seafood 12. Kimchi 13. Food in vinegar, sugar or brine (products that are tightly sealed, heat-sterilized and pasteurized, are excluded) 14. Braising 15. Natural food [meat, seafood (whale meat included), vegetables, fruits, marine algae, bean and their simply processed food (peeled or cut)] 16. Honey 17. Soybean products 18. Vinegar 19. Sauce 20. Tomato ketchup 21. Jams 22. Red pepper powder or shredded red pepper 23. Pepper (Deleted) 23. Herbs and spices product [horseradish products (wasabi) and mustard products are excluded] 24. Curry 25. Meat products 26. Fish products (sausages are excluded) 27. Fats and oils 29. Butter (Deleted) 28. Tea and coffee 29. Breads and rice cakes 30. Mayonnaise 31. Retort food 32. Ready to eat products 33. Seasoning and condiments 34. Cocoa butter 35. Processed peanut and nut products

36. Cocoa butter	38. Soup (Deleted)
37. Processed peanut and nut products	36. Cocoa powder
38. Soup	37. Seasoned seaweed
39. Cocoa powder	38. Processed fruit/vegetable products
40. Seasoned seaweed	39. Extracted food
41. Processed fruit/vegetable products	40. Egg products
42. Extracted food	41. Coffee
43. Egg products	42. Dry confectionery (excluding Korean traditional cookies)
44. Dry confectionary	43. Candies
45. Candies	44. Chocolates
46. Chocolates	47. Chewing gums (Deleted)
47. Chewing gums	45. Ice candies
48. Ice candies	46. Carbonated drink
49. Carbonated drinks	47. Mixed drink
40. Other drinks	48. Toasted cereals flakes (so called breakfast cereal
51. Toasted cereals flakes (so called breakfast cereal	52. Glutinous rice jelly(yeut) (Deleted)
52. Glutinous rice jelly(yeut)	